

**Remarks:**

By way of brief background: this application was filed with a total of 18 claims (Claims 1, 11, and 15 being independent claims, with the remaining claims depending directly or indirectly from those claims).

The Office Action rejected all claims under sec. 102 and/or sec. 103 in view of the references cited therein.

Claims 1, 11 and 15 (and by dependence, all other claims) have been amended to more particularly point out the rib structure of the claimed invention. In view of the amendments, and of the following remarks, all claims are believed allowable, and allowance is requested. Applicant notes that in the event that any future Office Action maintains the objections to Claims 15 – 18, Applicant will consider cancellation of those claims in order for the case to be allowed.

**Regarding the sec. 102 rejection**

Claims 1, 9, and 15 were rejected under sec. 102 in view of Boyle or Stephenson. It is noted that neither of those two references are in the same art field as the claimed invention; Boyle discloses a type of collapsible automobile dashboard, while Stephenson discloses a mat used to aid in the parking of automobiles. But more fundamentally, neither of those two references disclose the structure of Claims 1, 9, and 15. Neither Boyle nor Stephenson disclose a structure having ribs which run parallel to, perpendicular to, and at an acute angle to the axis of the structure. Instead, those references show ribs running *only* perpendicular to the direction of elongation of the structure.

Applicant further notes that Boyle teaches away from the claimed invention. It is the specific design of Boyle to collapse and significantly deform upon the application of force (i.e. a human striking the dashboard), and the uni-directional ribs are a key part of the design of the energy absorbing device. Applicant submits that ribs running at the various directions claimed would defeat the purpose of Boyle – that is, a dashboard pad comprising ribs as claimed in Claims 1, 9, and 15 would likely not appreciably deform (just as is intended for the claimed

invention). In summary, not only does Boyle not disclose the claimed invention, it teaches away from the claimed invention.

In a similar vein, it is clear that Stephenson et al does not disclose a structure comprising ribs as claimed.

Neither of these two references disclosing the invention in Claims 1, 9 and 15 (as amended), the sec. 102 rejections are overcome and should be withdrawn.

#### **Regarding the sec. 103 rejections**

Applicant will address the various sec. 103 rejections with reference to the numbered paragraphs in the Office Action:

**Paragraph 5:** this is a rejection of Claims 2 – 4 and 16 – 18 over a proposed combination of either Stephenson et al or Boyle, on the one hand; and Davis on the other hand. Applicant first disputes the propriety of the proposed combination. It is settled that a sec. 103 rejection based on a combination of references is proper only if the references or some other prior art suggest the combination. Applicant submits that no such suggestion exists, therefore the combination is improper and should be withdrawn. When withdrawn, it is clear that none of the references, singly, disclose the claimed invention, therefore the rejection is overcome.

Addressing the proposed combination (which Applicant believes to be improper) Davis is apparently cited only for a disclosure of glass fiber included in plastic; as such, Applicant submits that this rejection fundamentally hinges upon the disclosures of Stephenson et al and Boyle. Both of these references are discussed with regard to the sec. 102 rejection. For the reasons set out in the preceding section, the inventions of Claims 2 – 4 and 16 – 18 (as amended) are patentable, and those claims are allowable.

**Paragraph 6:** this is a rejection of Claims 5 – 14 (which introduce the dovetail element, save for Claim 9) over a proposed combination of either Boyle or Stephenson et al, on the one hand; and Neumann et al (cited for a disclosure of dovetails) and Davis (cited for the glass fiber element). As above, Applicant disputes the propriety of the proposed combination, and when

the references are then considered singly, it is clear that a sec. 103 rejection must fail and the claims are therefore allowable.

Addressing the proposed combination (which Applicant believes to be improperly proposed): Applicant's remarks above apply equally to this proposed combination. Neither Boyle nor Stephenson et al disclose the rib structure as claimed, and therefore even the proposed combination does not disclose all of the elements of the claimed invention. The claims are allowable over this proposed combination.

**Paragraphs 7 and 8:** Applicant will address these two paragraphs together, as both address sec. 103 rejections of effectively all of the claims over proposed combinations of the "MOON SUPPORT" reference and Beekman, and further (as to some of the claims) Neumann et al and Davis.

Applicant first disputes the propriety of the proposed combination, as discussed above. Once the combination is undone, none of the references singly disclose the claimed invention, and the claims are therefore allowable.

Beekman is cited because it allegedly "teaches to form a rib like lattice structure in the center of a plastic member . . . ." Beekman does disclose a lattice type structure - - but of key importance is that Beekman discloses that the additional walls (that is, in addition to the vertically oriented walls running parallel to the primary axis of the extruded panel) within the extruded panel are *not* vertically oriented (that is, vertical when the panel is horizontal) but instead are "diagonal ribs," inclined at some angle to the vertical (are effectively "laying over"), and in addition appear to run *only* parallel to the primary axis of the extruded panel. The orientation of the diagonal ribs in Beekman is clearly seen in Figs. 4A and 4B therein, and consideration of the disclosure of Beekman, which incorporates the diagonal ribs in order to form effectively a truss-type structure, to increase stiffness (clearly seen with reference to Fig. 6A). Beekman therefore teaches away from a structure having a plurality of vertically oriented ribs, running parallel to, perpendicular to, and at acute angles to the primary axis of the

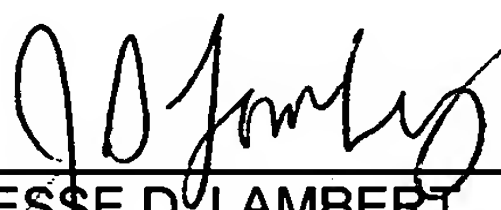
member. Therefore, the sec. 103 rejection over a proposed combination including Beekman must fall, and the claims are therefore allowable.

**Conclusion:**

For all of the above reasons, Applicant submits that the claims are in proper form and define patentable subject matter over the cited prior art. Therefore, Applicant respectfully requests allowance thereof.

Applicant further respectfully requests early consideration of this Response and allowance thereafter. Should the Examiner believe that a telephonic interview would be helpful in resolving any further questions, please contact the undersigned at the listed telephone number. A duplicate copy of this letter is attached.

Respectfully submitted,



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